

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

YOANDY M. FERNANDEZ,  
Plaintiff,  
v.  
OAKMAN, et al.,  
Defendants.

Case No.: 3:24-cv-00551-ART-CLB

**ORDER**

On December 3, 2024, pro se plaintiff Yoandy Fernandez, an inmate in the custody of the Nevada Department of Corrections, submitted a complaint under 42 U.S.C. § 1983 along with exhibits. (ECF Nos. 1-1, 1-2). But Plaintiff neither paid the required filing fee for this civil action nor filed an application to proceed *in forma pauperis*. (See ECF No. 1). Plaintiff must pay the full filing fee or file a complete application to proceed *in forma pauperis* to continue with this action. See 28 U.S.C. § 1914(a).

The fee for filing a civil-rights action is \$405, which includes the \$350 filing fee and the \$55 administrative fee. See 28 U.S.C. § 1914(b). “Any person who is unable to prepay the fees in a civil case may apply to the court for leave to proceed *in forma pauperis*.” Nev. LSR 1-1. For an inmate to apply for *in forma pauperis* status, the inmate must submit **all three** of the following documents to the Court: (1) a completed **Application to Proceed in Forma Pauperis for Inmate**, which is pages 1–3 of the Court’s approved form, that is properly signed by the inmate twice on page 3; (2) a completed **Financial Certificate**, which is page 4 of the Court’s approved form, that is properly signed by both the inmate and a prison or jail official; and (3) a copy of the **inmate’s prison or jail trust fund account statement for the previous six-month period**. See 28 U.S.C. § 1915(a)(1), (2); Nev. LSR 1-2. *In forma pauperis* status does not relieve an inmate of his or her obligation to pay the filing fee, it just means that the inmate can pay the fee in installments. See 28 U.S.C. § 1915(b).

1 It is therefore ordered that Plaintiff has **until February 3, 2025**, to either pay the  
2 full \$405 filing fee or file: (1) a completed application to proceed *in forma pauperis* with  
3 the inmate's two signatures on page 3, (2) a completed financial certificate that is signed  
4 both by the inmate and the prison or jail official, and (3) a copy of the inmate's trust fund  
5 account statement for the previous six-month period.

6 Plaintiff is cautioned that this action will be subject to dismissal without prejudice if  
7 Plaintiff fails to timely comply with this order. A dismissal without prejudice allows Plaintiff  
8 to refile the case with the Court, under a new case number, when Plaintiff can file a  
9 complete application to proceed *in forma pauperis* or pay the required filing fee.

10 The Clerk of the Court is directed to send Plaintiff the approved form application to  
11 proceed *in forma pauperis* for an inmate and instructions for the same, and to retain the  
12 complaint and exhibits (ECF Nos. 1-1, 1-2) but not file them at this time.

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14 DATED: December 4, 2024

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17 UNITED STATES MAGISTRATE JUDGE  
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